

the U.S. Fish and Wildlife Service would have only 180 days to review proposed developments and their impact on endangered species. If an assessment cannot be reached within this time frame, the project is allowed to proceed. If it is determined that endangered species would be harmed by the project, the Federal Government must pay the landowner the value of the proposed development. This would encourage speculative development schemes aimed at harming endangered species in order to receive windfall payments from the government. A frenzy of fraud and abuse will not help responsible landowners comply with the law, and it will not help species recover.

The use of sound science is also undermined by this bill. It gives political appointees the authority to determine the "best available science" without having to consult with recognized scientists and other experts in the field. Under this bill, the use of sophisticated scientific modeling could also be banned. This opens the door to the use of questionable science and politically-motivated findings.

This bill also repeals all Endangered Species Act provisions related to pesticides. Pesticides, such as DOT, have contributed to the decline of many species, including the American bald eagle. Under this bill, the Environmental Protection Agency can approve pesticides without considering their impact on threatened and endangered species. Given the choice between recovery and extinction, this bill appears to favor extinction.

I supported a responsible alternative aimed at recovering species. The Miller/Boehlert substitute amendment contained a more flexible timeline for consideration of projects, clarified the obligation of federal agencies, and provided real landowner incentives for conservation and species recovery. This approach responded to the legitimate concerns of landowners and sportsmen while continuing efforts to recover endangered species. Unfortunately, this amendment was not adopted.

Mr. Speaker, the Threatened and Endangered Species Recovery Act fails to protect vulnerable wildlife and plants and threatens to break the federal bank with a new open-ended entitlement for developers. I urge my colleagues to reject this bill and work together to create a strong, scientific and bipartisan Endangered Species Act.

SALUTING SERGEANT HECTOR R.  
FELICIANO

**HON. JOE BACA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, October 7, 2005*

Mr. BACA. Mr. Speaker, I rise to salute and pay tribute to Sergeant Hector R. Feliciano, a 22-year veteran of the Los Angeles Police Department. Sergeant Feliciano is receiving an honorable mention commendation for the annual TOP COPS Award Ceremony, from the National Association of Police Officers. This is a great honor, and reflects the substantial respect and recognition accorded to Sergeant Feliciano by California and national law enforcement. Sergeant Feliciano represents the very best of our outstanding law enforcement officers, previously being selected as Rampart Sergeant of the year 2004, for distinguishing

himself as an exemplary leader as well as a tactical expert.

Among his many achievements include developing game plans that targeted narcotics violators who utilized the Mac Arthur Park as a base of operations. He also planned operations to address quality of life issues in and around the park. His operations focused on such concerns as drinking in public, illegal street sales, and gambling. He was also tasked with developing and writing operations plans for special events in and around the park. According to superiors, his operations plans were outstanding, covering all aspects of the event from manpower to street closures to tactical considerations. The reduction in crime and improvement in the quality of life in and around the park has been remarkable. The efforts of Sergeant Feliciano, as well as those officers he supervises, has been the topic of crime strategy seminars throughout the Los Angeles Police Department.

Hector is a highly sought after and well-respected supervisor. Even under great pressure, he has repeatedly proven that his is steadfast and levelheaded. Hector has stepped forward to take command in many situations, thus ensuring the welfare of his officers and the citizens of Los Angeles. A notable example of this occurred on November 9, 2004. Sergeant Feliciano employed decisive and heroic actions during a hostage crisis at the Mexican Consulate. His lifesaving intervention resulted in the successful rescue of a pregnant female who was being held hostage by a gunman.

Mr. Speaker, Hector Feliciano has served our community with great distinction. As a husband, father, and grandparent, I feel secure knowing the safety of my loved ones is entrusted to such a fine individual. An officer's work is never done, and because of that, our families are secure.

And so, we thank Hector, with gratitude and respect for his distinguished service. We wish the very best to him, and his wife, Jeanette, and their other family members who are here this month in Washington, DC. God bless, and congratulations on this great honor.

HONORING JUDGE HORACE  
WHEATLEY

**HON. BARBARA LEE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, October 7, 2005*

Ms. LEE. Mr. Speaker, I rise today to honor the extraordinary life and achievements of Alameda County Superior Court Judge Horace Wheatley of Oakland, California. Serving Alameda County on the bench for almost 25 years, Judge Wheatley has been known throughout his career for his unfaltering sense of social justice, and for his unwavering commitment to our young people. Today our community comes together to celebrate his career and achievements on the occasion of his retirement in Oakland, California.

Judge Wheatley was born in Lake Charles, Louisiana, and raised in San Francisco's historic Fillmore district. After graduating from the "old" Lowell High School in 1957, he went to College of the Pacific, now known as University of the Pacific, later transferring to Howard University in Washington, DC, where he con-

tinued his record as a champion debater. The Civil Rights Act of 1964 had not yet been enacted during his time in college, making some of the challenges he faced in school extend far beyond the realm of academics. When he competed in the National Collegiate Debate Tournament at the University of Oklahoma in 1961, the open and unabated racial discrimination that prevailed in some parts of the country was so severe that the southern colleges who were competing were instructed to walk out of any round in which an African American was competing. Undeterred, Judge Wheatley went on not only to win the tournament, but to be awarded the Pi Kappa Delta gold debate key for his outstanding performance. Following his studies at Howard, Judge Wheatley returned to the University of the Pacific in 1960, where he graduated with a degree in Sociology and Psychology.

Following a successful law school career at Willamette University in Oregon, where he won the school's Moot Court Competition and served as a teaching assistant before earning his Doctor of Jurisprudence degree, Judge Wheatley began serving as Deputy Attorney General for the State of California in 1965. He later went into private practice in Oakland, where he engaged in general litigation practice and was one of the lead attorneys in a precedent-setting class-action lawsuit against the savings and loan industry. In 1972, he became General Counsel for the California Teachers Association, representing the organization's 300,000 members in several noteworthy cases which resulted in precedent-setting rulings in favor of public school teachers' rights and benefits.

Judge Wheatley was appointed as a Judge of the Alameda County Municipal Court on July 1, 1981, by California Governor Edmond G. "Jerry" Brown, Jr., and was elevated to the Alameda County Superior Court when all of the courts in Alameda County were unified in 1998. Known for his tendency to give many young defendants the choice to "Go to school or go to jail," Judge Wheatley's career on the bench has been marked by his steadfast commitment to serving the young people in our community who are most in need of guidance.

Judge Wheatley's outstanding dedication and accomplishments have not only impacted countless young lives, but have also been recognized by a number of the professional organizations of which he is a member. He has not only been inducted into the Charles Houston Bar Association's Hall of Fame, but has also received its "Judicial Excellence Award." In addition, he received the Bernard S. Jefferson Award from the California Association of Black Lawyers as its Judge of the Year in 2001, and has also been named the Lend-A-Hand Foundation's "Man of the Year." This past August, he was inducted into the National Bar Association's Hall of Fame in recognition of having practiced law for over 40 years and made significant contributions to the cause of justice. In addition, he was also given the A. Leon Higginbotham Memorial Award by the Young Lawyers Division of the National Bar Association in recognition of his intellectual accomplishments, professional achievements and community contributions.

Today Judge Wheatley's family, friends and colleagues come together to celebrate the impact of his life and work not only on the innumerable lives, particularly young lives, he has touched here in Alameda County, but the lasting effects his rulings and his commitment to